

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

2018 SEP -6 AM 11:18

UNITED STATES, *ex rel.*,
YOUNG, *et al.*

Plaintiffs,

v.

LUCID PHARMA, LLC,
f/k/a Cedardale Distributors, LLC
d/b/a Gen-Source Rx,

Defendant.

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Judge Susan J. Dlott

Case No. 1:16-cv-969

FILED UNDER SEAL

**THE GOVERNMENT'S NOTICE OF ELECTION
TO DECLINE INTERVENTION**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the United States notifies the Court of its decision not to intervene in this action.

Although the United States declines to intervene, we respectfully refer the Court to 31 U.S.C. § 3730(b)(1), which allows the relators to maintain the action in the name of the United States; providing, however, that the “action may be dismissed only if the United States gives written consent to the dismissal and their reasons for consenting.” *Id.* Therefore, the United States requests that, should either the relators or the defendants propose that this action be dismissed, settled, or otherwise discontinued, this Court solicit the written consent of the United States before ruling or granting its approval.

Furthermore, the United States requests that all pleadings filed in this

action be served upon it, and that orders issued by the Court be sent to its counsel. The United States reserves the right to order any deposition transcripts, to intervene in this action, for good cause, at a later date, or to seek the dismissal of the relators' action or claims. The United States also requests that they be served with all notices of appeal.

Finally, the Government requests that the relators' Complaint, any Amended Complaints, this Notice, and the attached proposed Order be unsealed. The United States requests that all other papers on file in this action remain under seal because, in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

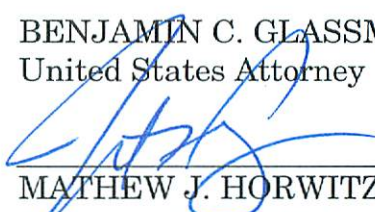
A proposed order accompanies this notice.

[Signature on following page]

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by ordinary U.S. Mail
this 6th day of September, 2018, on counsel for Relators:

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